

STATE OF WISCONSIN
Town of Townsend, Oconto County

Amended All-Terrain Vehicle and Utility Terrain
Vehicle Road/Route

Ordinance #01-2018
To Replace Existing All Terrain (ATV)
Ordinance #07-2013

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Townsend All-Terrain Vehicle and Utility Terrain Vehicle Road/Route Ordinance. The purpose of this ordinance is to establish all-terrain vehicle and utility terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles and utility terrain vehicles in the town.

SECTION II - AUTHORITY

The Town Board of the Town of Townsend, Oconto County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle and Utility Terrain Vehicle Ordinance under s. 23.33 (8) (b) and (11), Wis. stats.

SECTION III - ADOPTION OF ORDINANCE

This ordinance adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate all-terrain vehicle and utility terrain vehicle routes in the town and to regulate the use of those road/routes and all-terrain vehicles and utility terrain vehicles in the town, designates all-terrain vehicle and utility terrain vehicle road/routes in the town and provides for the regulation of the use of those routes and of all-terrain vehicles and utility terrain vehicles in the town.

SECTION IV - OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY
TERRAIN VEHICLES

Pursuant to s. 23,33 (4) (d) 4., Wis. stats., except as otherwise provided in s. 23.33 (4), Wis. stats., no person may operate an all-terrain vehicle and utility terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle and utility terrain vehicle routes by this ordinance. Operation of all-terrain vehicles and utility terrain vehicles on a roadway in the town that is an all-terrain vehicle and utility terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

COPY

SECTION V - DESIGNATION OF ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROADS/ROUTES

All Town of Townsend roads are open to All-Terrain Vehicles and Utility-Terrain Vehicles except for Cathedral Pines, Brook Road, State Highway 32 and Country Trunk T.

All town of Townsend roads/routes are acceptable travel for all-terrain vehicles and Utility Terrain Vehicles, except those marked with a "No ATV" sign. (see attached list of roads)

SECTION VI - CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

Pursuant to s. 23.33 (8) (d), Wis. stats., the following restrictions are placed on the use of the town all-terrain vehicle and utility terrain vehicle routes designated by this resolution:

A. Roads/routes shall be marked with uniform all-terrain vehicle and utility terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle and utility terrain vehicle roads/routes:

1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle and utility terrain vehicle road/route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle and utility terrain vehicle route or trail sign or standards if the sign or standard is legally placed by the state, any municipality, or any authorized individual or club.
2. Possess any uniform all-terrain vehicle and utility terrain vehicle road/route or trail sign or standard of the type established by the department for the warning, instruction, or information of the public, unless he or she obtained the uniform all-terrain vehicle and utility terrain vehicle road/route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle and utility terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

B. Operation shall be subject to all provisions of s. 23.33, Wis. stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. stats.

C. A copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources, the Oconto County Sheriff's Department and any other law enforcement agency serving the Town of Townsend's jurisdiction.

D. Additional restrictions:

All all-terrain vehicle and utility terrain vehicle operators shall observe posted roadway speed limit of 20 mph.

All all-terrain vehicle and utility terrain vehicle operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling or within 100 feet of a pedestrian only where signed at this speed. In all other areas, operators may operate at speeds not in excess of 20 miles per hour.

All all-terrain vehicle and utility terrain vehicle operators shall ride single file.

All all-terrain vehicle and utility terrain vehicle operators shall have their headlights on at all times.

All all-terrain vehicle and utility terrain vehicle operators shall stay on the extreme right of the pavement,

Roads/routes must be signed in accordance with NR 64.12 and NR 64.12(7)c.

All persons born after 01/01/1988 are required to have a safety certificate.

All persons under the age of 18 operating or riding an all-terrain vehicle (ATV) or utility terrain vehicle (UTV) must wear a helmet.

No person under the age of 16 may operate a UTV on any road route at any time. All UTV occupants must be belted and rider capacity and positioning cannot exceed manufacturer specifications.

SECTION VII - ENFORCEMENT

This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin and additionally as stated in the Town's citation authority ordinance adopted per s. 66.0113 Wis. Stats.

SECTION VIII - PENALTIES

The penalties under s. 23.33 (13) (a), Wis. Stats., are adopted by reference.

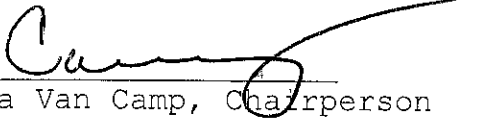
SECTION IX - SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

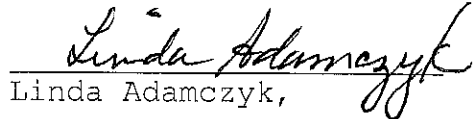
SECTION X - EFFECTIVE DATE

This ordinance is effective on publication or posting.
The town clerk shall properly publish or post this ordinance as
required under
s. 60.80, Wis. stats.

Adopted this 10th day of April, 2018



Carla Van Camp, Chairperson
Supervisor
Town of Townsend

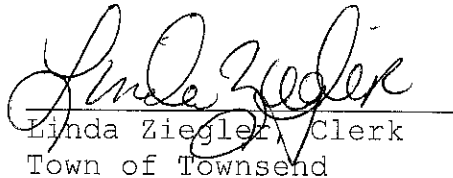


Linda Adamczyk,
Town of Townsend



Dan Martin, Supervisor
Town of Townsend

Attest:



Linda Ziegler, Clerk
Town of Townsend